

Message Text

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SEC-01 ERDA-07 CIAE-00 INR-07 NSAE-00 PM-04
NSC-05 SP-02 SS-15 SSO-00 INRE-00 NSCE-00 H-02
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FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC IMMEDIATE 3857

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STATE PASS JUSTICE

E.O. 11652 N/A
TAGS: CA, OVIP (BELL, GRIFFIN)
SUBJ: OTTAWA VISIT

1. FOLLOWING IS THE UNOFFICIAL TRANSCRIPT OF THE REMARKS MADE BY CANADIAN MINISTER OF JUSTICE RON BASFORD AND U.S. ATTORNEY GENERAL GRIFFIN BELL FOLLOWING THEIR MEETINGS JUNE 17TH AT THE DEPARTMENT OF EXTERNAL AFFAIRS IN OTTAWA:

BASFORD: I'M VERY OPTIMISTIC. THE INITIATIVE FOR THIS MEETING COMES FROM A RESULT OF THE DISCUSSIONS IN WASHINGTON IN FEBRUARY BETWEEN PRIME MINISTER TRUDEAU AND PRESIDENT CARTER WHERE THE TWO LEADERS AGREED THAT WE SHOULD DISCUSS THE EXTRA-TERRITORIAL APPLICATION OF ANTI-TRUST LAWS TO OUR TWO COUNTRIES AND ENDEAVOR TO WORK OUT WAYS BY WHICH THE IRRITANTS THAT WERE CAUSED IN THE RELATIONSHIP COULD BE ELIMINATED; AND THE UNITED STATES ADMINISTRATION REACTED TO THAT VERY SPEEDILY AND ASKED THE ATTORNEY GENERAL TO COME TO CANADA AND WE'VE HAD A VERY SUCCESSFUL MEETING HERE TODAY WHICH I THINK IS IN THE SPIRIT OF THE RELATIONSHIP ESTABLISHED IN WASHINGTON

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IN FEBRUARY AND INDICATES TO ME IN WHICH WE AGREED TO ESTABLISH A PERMANENT CONSULTATIVE MECHANISM UNDER WHICH WE WOULD WORK TOWARDS - HAVE FIRST A PERMANENT CONSULTATIVE MECHANISM TO DEAL WITH ANTI-TRUST MATTERS AND WORK TOWARDS AN AGREEMENT UNDER WHICH THE RECOGNITION OF EACH COUNTRY'S LAWS COULD BE ACCOMMODATED WITHIN THE NATIONAL INTERESTS OF EACH COUNTRY; AND MR. ABBOTT AND

HIS OFFICIALS WILL CONTINUE THIS DISCUSSION WITH THE AMERICAN DISCUSSIONS AND REPORT BACK TO BOTH GOVERNMENTS.

Q.: CAN ANY IMMEDIATE ACCOMMODATION BE REACHED BETWEEN THE CANADIANS' DESIRE TO STOP THE U.S. INVESTIGATION CURRENTLY UNDERWAY...?

BELL: YOU MEAN THE CONGRESSIONAL INVESTIGATION?

A. THE URANIUM.

BELL: THE CONGRESSIONAL INVESTIGATION IS SOMETHING THAT IS OUTSIDE THE POWER OF THE EXECUTIVE DEPT. UNDER THE AMERICAN FORM OF GOVERNMENT. THE CANADIAN GOVERNMENT ASKED US TO ASSIST TO ADVANCE THEIR POSITION TO THE CONGRESS THAT THE DOCUMENTS MIGHT NOT BE MADE PUBLIC AND WE DID THAT BUT CONGRESS MADE THE DOCUMENTS PUBLIC.

Q.: NO FURTHER ACTION CAN BE TAKEN?

BELL: NO.

BASFORD: IN TERMS OF THE APPLICATION OF ANTI-TRUST LAW, OBVIOUSLY IN URANIUM POLICY OUR TWO COUNTRIES HAVE AT THE MOMENT ENUNCIATED DIFFERENT POLICIES; BUT IN TERMS OF ANTI-TRUST AREA WE MADE ON REQUEST OF THE UNITED STATES GOVERNMENT THAT CERTAIN DOCUMENTS NOT BE REVEALED AND THEY ACTED ON THAT REQUEST; AND WE HAVE NO COMPLAINT IN THAT AREA.

Q.: WHEN YOU SAY PERMANENT CONSULTATIVE MECHANISM - DOES UNCLASSIFIED

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THIS MEAN FOREVER OR UNTIL SUCH TIME AS YOU GET A DEFINITE AGREEMENT?

BASFORD: NO, THE ARRANGEMENT ARRIVED AT BY JUDGE BELL AND MR. ABBOTT AND OUR GOVERNMENT WAS CLEARLY THAT WE HAVE AGREED ON THE ESTABLISHMENT OF A PERMANENT CONSULTATIVE MECHANISM."

2. THE FOLLOWING EXCHANGE TOOK PLACE OUTSIDE MINISTER BASFORD'S OFFICE FOLLOWING A PRIVATE MEETING BETWEEN THE CANADIAN MINISTER OF JUSTICE AND ATTORNEY GENERAL BELL:

BELL: WELL I THINK THE CANADIAN MINISTER OF JUSTICE SHOULD ANSWER THAT QUESTION. WE HAD A FINE DAY - I WANT TO SAY THAT I THINK IT WAS VERY PRODUCTIVE.

BASFORD: WELL JUDGE BELL AND THE AMERICAN OFFICIALS ARE HERE IN OTTAWA AS A RESULT OF DISCUSSIONS BETWEEN PRESIDENT CARTER AND PRIME MINISTER TRUDEAU IN FEBRUARY

TO THE EFFECT THAT WE SHOULD EXAMINE THE APPLICATION OF OUR VARIOUS LAWS AND THEIR EXTRATERRITORIAL APPLICATION INTO OTHER COUNTRIES, PARTICULARLY ANTI-TRUST LAWS: AND AS A CANADIAN AND FOR THE GOVERNMENT WE ARE IMMENSELY GRATEFUL FOR THE ATTORNEY GENERAL OF THE UNITED STATES IN RESPONDING TO THAT DISCUSSION IN THE WAY HE HAS IN COMING TO CANADA WITH HIS OFFICIALS TO DISCUSS THIS. WE'VE HAD A FULL DAY OF DISCUSSION OF THE ISSUES OF THE APPLICATION OF ANTI-TRUST LAWS IN OUR COUNTRIES: AND WE HAVE AGREED ON THE ESTABLISHMENT OF A PERMANENT CONSULTATIVE MECHANISM OVER THE LONG TERM,

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AND FOR THE SHORT TERM THAT CONSULTATIVE GROUP WILL WORK OUT A SET OF GENERAL PRINCIPLES UNDER WHICH OUR TWO COUNTRIES CAN OPERATE TO AVOID TO THE EXTENT POSSIBLE THE ADVERSE REACTION AND THE ADVERSE INCIDENTS OF THE APPLICATION OF OUR LAWS. OUR OBJECTS HERE ARE OBVIOUSLY BECAUSE OF OUR GOOD RELATIONSHIP BETWEEN OUR TWO COUNTRIES AND THE CLIMATE CREATED BY THE CARTER/TRUDEAU TALKS ARE TO AVOID IRRITANTS THAT COMPLICATE OUR RELATIONSHIPS.

Q.: MR. BELL DOES THIS HAVE ANY EFFECT ON THE CURRENT HOUSE INVESTIGATION?

BELL: NOT DIRECTLY. THE HOUSE UNDER OUR FORM OF GOVERNMENT IS INDEPENDENT FROM THE EXECUTIVE BRANCH. WE HAVE NO CONTROL OVER THE HOUSE. THE HOUSE I THINK GENERALLY SPEAKING LIKES TO MAINTAIN A GOOD RELATIONSHIP WITH OTHER NATIONS.

Q.: SO IN THE FUTURE ON ANY ANTI-TRUST PROBLEMS YOU
MIGHT HAVE THIS CONSULTATIVE BODY WILL BE USED; THINGS
WILL BE HANDLED DIFFERENTLY THAN THEY ARE HANDLED NOW?

BELL: WELL THE CONSULTATIVE BODY WILL BE BETWEEN OUR
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EXECUTIVE AND THE CANADIAN GOVERNMENT; BUT I AM SURE
THAT THE CONSULTATIVE BODY WOULD WANT TO SPEAK TO THE
CONGRESS, AT LEAST TAKE UP MATTERS WITH THE CONGRESS
AND WITH THE STATES WHENEVER NECESSARY. THEY WILL BE
CALLED OUT TO THE GROUP'S ATTENTION BY THE CANADIAN
GOVERNMENT.

Q.: AS A RESULT OF YOUR MEETINGS HERE TODAY MIGHT THERE
BE ANY CHANGES IN THE U.S. LAWS ACTUAL AMENDMENTS TO
AVOID THEIR EXTRA-TERRITORIAL APPLICATION TOWARD CANADA
OR OTHER NATIONS?

BELL: WE WOULDN'T KNOW THAT NOW. WELL EXPECT THAT WE
CAN OPERATE WITHIN THE NORMAL FRAMEWORK OF INTERNATIONAL
LAW; AND IF LATER ON THERE NEEDED TO BE A CHANGE WE'D
TALK ABOUT THAT THEN; BUT WE HAVEN'T REACHED THAT POINT
YET. THAT WOULD BE SOMEWHAT PREMATURE TO THINK ABOUT
THAT NOW.

Q. FROM YOUR MEETINGS HERE TODAY IS IT YOUR IMPRESSION
THAT THERE'S A DIFFERENT PHILOSOPHY ABOUT WHAT IS AND WHAT
IS NOT ACCEPTABLE MARKETING PRACTICE IN OUR TWO COUNTRIES?

BELL: NO, WE'RE NOT CRITICIZING EACH OTHER'S INTERNAL
AFFAIRS. WE'RE TRYING TO LIVE TOGETHER AS NEIGHBORS
UNDER INTERNATIONAL LAW; AND WE WANT TO REMOVE ALL THE
IRRITANTS POSSIBLE; AND WE DON'T WANT TO PRESUME TO SAY
WHAT SORT OF MARKETING PRACTICES YOU OUGHT TO HAVE IN CANADA.

Q: MR. SECRETARY HAS ANYTHING HAPPENED TODAY THAT COULD
PREVENT IRRITANTS DEVELOPING OVER HOUSE INVESTIGATION AND
IS THERE ANY WAY CANADIANS CAN GET THEIR POINT OF VIEW
ACROSS TO THAT HOUSE SUBCOMMITTEE?

BELL: WELL ONE WAY WOULD BE TO TAKE IT UP WITH THE STATE
DEPARTMENT WHICH YOU'VE ALREADY DONE; ANOTHER WAY WOULD
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BE WHEN WE SET THIS CONSULTATIVE GROUP IN PLACE TO WORK
THROUGH THEM. WE DIDN'T MEET TODAY JUST ABOUT THAT
MATTER.

BASFORD: I THINK THAT SHOULD BE UNDERSTOOD THAT WHILE
ON URANIUM POLICY THERE MAY BE DIFFERENCES OF NATIONAL
POLICY IN TERMS OF THE APPLICATION OF ANTI-TRUST LAWS,
WE MADE A REQUEST TO THE UNITED STATES GOVERNMENT TO
PROTECT CERTAIN CANADIAN DOCUMENTS AND THE UNITED STATES
PASSED IT ON TO THE CONGRESS. SO IN TERMS OF THE
APPLICATION OF ANTI-TRUST LAW THERE IS NO DISAGREEMENT
BETWEEN THE TWO GOVERNMENTS. I JUST ADD AND OF COURSE
OBVIOUSLY YOU ASKED THE QUESTION ABOUT COMMERCIAL
POLICIES. WE HAVE AS TWO COUNTRIES GENERALLY AGREED
FOR A GOOD NUMBER OF YEARS AS TO COOPERATION IN ASSISTING
EACH OTHER IN THE ENFORCEMENT OF EACH OTHER'S ANTI-TRUST
LAWS IN TERMS OF CONSULTATION AND EXCHANGE OF INFORMATION.
AT THIS POINT WHAT WE'RE ENDEAVORING TO DO IS TO
ESTABLISH A EARLYWARNING SYSTEM BY WHICH THE NATIONAL
POLICIES OF EACH GOVERNMENT CAN BE TAKEN INTO ACCOUNT.

BELL: EXACTLY.

Q.: JUDGE BELL WHAT WAS YOUR IMPRESSION OF THE DEPTH
OF FEELING ABOUT THIS URANIUM ISSUE IN CANADA FROM WHAT
YOU HEARD TODAY?

BELL: WELL WE HAVE A FULL AND VIGOROUS DEBATE IN THE
UNITED STATES - AND I WITNESSED THAT THIS MORNING AND
DIDN'T HAVE ANY FEELINGS ABOUT IT ONE WAY OR ANOTHER.
I WAS GLAD TO BE IN THE HOUSE WHEN THAT HAPPENED.

Q.: ARE YOU GOING TO TAKE ANY MESSAGE BACK TO CONGRESS?

BELL: NO, NO NOT PARTICULARLY. I THINK THAT I GOT A
MESSAGE. ENDERS
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